

REGULAR CITY COUNCIL MEETING
SEPTEMBER 14, 1987

PRESENT

Ruth Hansen
Don Dafoe
David Church
Neil Dutson
Gayle Bunker

Mayor
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery
Richard Waddingham
Deborah Jones
Damian Kapaska
Calvin Joe Gorman
Reid Ludwig
Jeff Peterson
Doug Petersen
Nathan Stewart
Neil Forster
Vince Crawford
H. Doyle Bender
J. J. Plummer
Rusty Jones
Brian Stephenson
Rick Murdock
Kim Taylor
Steve Allred
Jeff Stewart
David Shelton

City Recorder
City Attorney
Boy Scouts
Boy Scouts
Boy Scouts
Boy Scouts
Boy Scouts
Boy Scouts
Boy Scouts
Public Works Director
Utah Power & Light Co.
City Treasurer
City Resident
Boy Scouts
Boy Scouts
Boy Scouts
Police Officer
Police Officer
Boy Scouts
Boy Scouts

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Public Hearing held August 17, 1987, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Don Dafoe MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held August 17, 1987, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held August 31, 1987, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Neil Dutson MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member David Church MOVED that the accounts payable be approved for payment in the amount of \$40,552.43. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: ROAD TAX PAYMENT-CARDWELL DISTRIBUTING

This item was tabled to allow for further research.

CHIEF OF POLICE ROGER YOUNG: SALE OF POLICE DEPARTMENT VEHICLES

Mayor Hansen reported that Chief Roger Young has had two police vehicles detailed out by Petersen's Service so they can be sold

at an auction. The Council concurred that the vehicles should not be sold for less than \$2,000 each.

Mayor Hansen asked Officer Steve Allred to review the status of the proposed firearms range.

Officer Allred said that he has talked with the Utah Attorney General regarding liability and the proposed firearms range. Mr. Allred said that the Attorney General referred to Section 57-14-3 of the Utah Code Annotated where it states that an owner permitting another to use land without charging a fee for the use of said land owes no duty or care to keep the premises safe for entry or use by any person using the premises for any recreational purpose or to give any warning to any dangerous condition, use, structure, or activity on the premises that are being used for recreational purpose to those persons.

Mr. Allred explained that a fee would not be charged for using the firearms range in order to be in compliance with the Utah Code.

Mr. Allred said that the property to be donated for the firearms range consists of 120 acres, but that property could be reduced to 80 or 40 acres if the City so desires. He also said that the intended use of the property is for a Hunter Education facility where students can qualify to receive their Hunter Education certificate. Mr. Allred recommended that the gun range be under the direction and supervision of the Delta Police Department.

Mr. Allred said that he contacted Millard County officials and they are interested in accepting the property and proceeding with the proposed firearms range project, but he feels it would be a more of a benefit to Delta City.

Council Member Don Dafoe said he would like to see Delta City act as a recipient for the property in order to provide a safe place for City residents to practice shooting. No decision was made at this time.

COUNCIL MEMBER DAVID CHURCH: SCHOOL CROSSING GUARD FUNDING

School crossing guard funding was not discussed.

Council Member David Church said that Principal Scott Bassett contacted him and has requested that the City paint a pedestrian lane on 100 East 100 North Street in front of the Delta North Elementary School.

The Council instructed Public Works Director Neil Forster to contact Utah Department of Transportation (UDOT) to see if UDOT will paint a pedestrian lane on 100 East 100 North Street.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION ADOPTING TRAVEL/MEETING
EXPENSE SCHEDULE

Mayor Hansen asked City Attorney Richard Waddingham to present a proposed resolution establishing reimbursement of costs to Delta City employees.

Attorney Waddingham presented a proposed resolution entitled:

RESOLUTION NO. 87-169

A RESOLUTION ESTABLISHING REIMBURSEMENT OF COSTS TO DELTA CITY EMPLOYEES, WHICH INCLUDES COSTS FOR MEALS, MOTEL ROOMS, MILEAGE, PARKING FEES AND MISCELLANEOUS EXPENSES ASSOCIATED WITH DELTA CITY BUSINESS.

The Council reviewed the proposed resolution and proposed corrections after which Council Member David Church MOVED to adopt Resolution No. 87-169 as amended. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

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|---------------------------------|-----|
| Council Member Craig Greathouse | Yes |
| Council Member Don Dafoe | Yes |
| Council Member David Church | Yes |
| Council Member Neil Dutson | Yes |
| Council Member Gayle Bunker | Yes |

Mayor Hansen then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

VINCE CRAWFORD, UTAH POWER & LIGHT CO.: MERGER OF UTAH POWER &
LIGHT CO. AND PACIFIC CORPORATION

Mayor Hansen asked Vince Crawford, Utah Power & Light Co., to address the Council.

Vince Crawford said that Utah Power & Light Co. has accepted a merger proposal with Pacific Corporation. Mr. Crawford said that with the proposed merger there will be rate reductions of 5% to 10%, rate stability, assurance of a long-term supply of electricity, immediate benefits to owners of UP&L common stock, the ability of UP&L to retain its corporate identity and local structure and the ability to sell its excess power to other utilities and entities.

Mr. Crawford presented a proposed resolution supporting the proposed merger of Utah Power & Light Company and Pacificorp and requested the Council's approval of the resolution. The Council denied the request to adopt a resolution.

Following a brief discussion, Council Member Neil Dutson MOVED to instruct Mayor Hansen to write a letter stating that the Delta City Council is not opposed to the merger of Utah Power & Light Co. and Pacificorp. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: ORDINANCE REGARDING RETAIL THEFT

Mayor Hansen asked Attorney Richard Waddingham to present a proposed ordinance regarding Retail Theft.

Attorney Waddingham presented a proposed resolution regarding Retail Theft. Council Member Neil Dutson MOVED to table the proposed resolution to allow for further review. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: ORDINANCE AMENDING D.U.I. ORDINANCE

Mayor Hansen asked Attorney Richard Waddingham to present an ordinance amending the D.U.I. Ordinance.

Attorney Richard Waddingham requested that the ordinance be tabled to allow for further review. Council Member David Church MOVED to table the proposed resolution to allow for further review. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ATTORNEY RICHARD WADDINGHAM: CLOSED SESSION FOR POSSIBLE LITIGATION

Attorney Richard Waddingham requested that the Council go into closed session to discuss litigation. Council Member Neil Dutson MOVED that the Council meet in closed session at 8:30 p.m. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

| | |
|---------------------------------|-----|
| Council Member Craig Greathouse | Yes |
| Council Member Don Dafoe | Yes |
| Council Member David Church | Yes |
| Council Member Neil Dutson | Yes |
| Council Member Gayle Bunker | Yes |

Following the closed session, Council Member Neil Dutson MOVED to reconvene to regular City Council meeting at 8:55 p.m. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

OTHER BUSINESS

Council Member Don Dafoe said that Millard County Commissioner Michael Styler met with the West Millard Recreation District Board and said that Millard County is considering relocating the Millard County Fair to property located by the Regional Park. In so doing a Fair building, rodeo/roping arena, and a Stock Show barn would be built.

Mr. Dafoe said that the Millard County Commissioners have proposed to assume the operation and maintenance on the Regional Park if the City will maintain the Recreation Programs.

Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member David Church MOVED to adjourn. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 9:00 p.m.


RUTH HANSEN, Mayor

DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 9-28-87